

(PRE-FILED)

By: **Chairman, Judicial Proceedings Committee (By Request -
Departmental - Transportation)**

Requested: November 3, 2003

Introduced and read first time: January 14, 2004

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Administration - Driver's License Renewals - Vision**
3 **Screening Requirements**

4 FOR the purpose of eliminating certain vision test requirements for certain
5 individuals renewing a driver's license; and generally relating to vision test
6 requirements for driver's license renewals.

7 BY repealing and reenacting, with amendments,
8 Article - Transportation
9 Section 16-115
10 Annotated Code of Maryland
11 (2002 Replacement Volume and 2003 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Transportation**

15 16-115.

16 (a) (1) A license issued under this title to a driver at least 21 years old shall
17 expire on the birth date of the licensee in the fifth year following the issuance of the
18 license.

19 (2) A license issued under this title to a driver under the age of 21 years
20 shall expire 60 days after the driver's 21st birthday.

21 (3) A license is renewable on the presentation of an application, the
22 payment of the renewal fee required by § 16-111.1 of this subtitle, and satisfactory
23 completion of the examination required or authorized by subsection (h) of this section:

24 (i) Within 6 months before its expiration; or

1 (ii) When a driver qualifies for a corrected license issued under §
2 16-114.1(c) of this subtitle.

3 (4) Except as provided in subsection (e) of this section, the
4 Administration may not renew an individual's license for more than one consecutive
5 term without requiring the individual to appear in person at an office of the
6 Administration.

7 (b) At least 60 days before a license expires, the Administration shall mail to
8 each licensee, at the last address of the licensee shown in the records of the
9 Administration, notice of the date on which the license will expire.

10 (c) The Administration may renew a license within 1 year after the expiration
11 date without requiring a driving test.

12 (d) (1) A license held by a member of the armed forces of the United States
13 who is absent from this State on active service in the armed forces of the United
14 States, or a dependent of the member who is residing with the member outside the
15 State, shall remain in full force and effect during such absence.

16 (2) The license also shall remain in effect, if it would otherwise have
17 expired under this section, for a period of 30 days following the date of the licensee's
18 return to this State, or the member's discharge or separation from active service:

19 (i) If the licensee has in the licensee's immediate possession,
20 together with the licensee's driver's license, papers indicating the member's active
21 service outside this State or the member's discharge or separation; and

22 (ii) If the license is not otherwise suspended, revoked, or canceled
23 under this title during the 30-day period.

24 (e) If a licensee is absent from this State for cause, other than as provided in
25 subsection (d) of this section, and is unable to renew his license in the manner
26 required by this section, the licensee may renew by mail to the Administration. The
27 renewal application shall be accompanied by the prescribed fee and a statement
28 giving the reason for and the expected length of the absence. On receipt of the
29 application, the Administration may issue a regular license which bears a photo or a
30 notation that it is valid without a photo until 15 days after the licensee first returns
31 to this State.

32 (f) An individual may not drive a motor vehicle on any highway in this State
33 if the license issued to him under this title has expired.

34 (g) An individual may not attempt to drive a motor vehicle on any highway in
35 this State if the license issued to the individual under this title has expired.

36 (h) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of
37 this subsection, the Administration shall require every individual applying for
38 renewal of a driver's license to pass a vision test as prescribed by the Administration.

1 (2) (i) The Administration shall accept a certification of acceptable
2 visual acuity from a licensed physician or optometrist instead of requiring the actual
3 test provided for in this subsection.

4 (ii) The examination for which certification is made shall take place
5 within 12 months of the date of application for renewal.

6 (3) IF AN INDIVIDUAL AT LEAST 21 YEARS OF AGE BUT UNDER THE AGE
7 OF 40 YEARS APPLYING FOR RENEWAL OF A DRIVER'S LICENSE HAS PASSED A VISION
8 TEST AS PRESCRIBED BY THE ADMINISTRATION WITHIN THE PREVIOUS 6 YEARS, THE
9 VISION TEST IS NOT REQUIRED FOR THE RENEWAL OF THE LICENSE.

10 [(3)] (4) (i) If the Administration has reason to believe that an
11 individual is a safety hazard by reason of a vision deficiency, the Administration may
12 require the vision test provided for in this subsection at a time other than renewal of
13 a driver's license.

14 (ii) The Administration may adopt regulations to implement the
15 provisions of this subsection.

16 (i) Before the expiration of a driver's license, if the Administration has reason
17 to believe that an individual is not a safety hazard, but the individual is unable to
18 pass a required knowledge test or vision test, the Administration may extend the
19 individual's privilege to drive for a period not to exceed 90 days.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
21 effect October 1, 2004.